

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TYSON HUBBARD,

Defendant.

8:99CR94

ORDER

The defendant filed a Motion to Reduce Sentence, Filing No. 116, which the court construes as a motion to correct sentence. The defendant has previously represented himself pro se in a post-conviction proceeding. The defendant has been incarcerated continuously since his arrest by state authorities in 2008. The court is persuaded that the defendant is without funds to hire an attorney and is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska. The court further finds that counsel will aid the court in determining the correct sentence which must be applied in light of the defendant's previous state and federal incarceration.

IT IS ORDERED:

The Federal Public Defender for the District of Nebraska is appointed to represent the above named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file a written appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

IT IS FURTHER ORDERED that counsel's appointment herein is made pursuant to 18 U.S.C. §3006A(f). At the time of the entry of judgment herein, defendant shall file a current and complete financial statement to aid the court in determining whether any portion of counsel's fees and expenses should be reimbursed by defendant.

IT IS FURTHER ORDERED that the Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska.

Dated this 11th day of December, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge